

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD SMITH,

Defendant.

Case No. 3:15-cr-00061-HDM-WGC

ORDER

The court has been advised that the defendant's appellate counsel is in the process of assembling all case materials in his possession in order to provide the file to the defendant. (ECF No. 930). As such, the defendant's request for his case file from appellate counsel or, in the alternative, from the reporter, (ECF No. 927) is DENIED. Should the defendant require any additional materials to prepare his 28 U.S.C. § 2255 motion after receiving his file from appellate counsel and he is able to specify those documents, the defendant may file further motions seeking those specific documents and the court will entertain those motions at that time.

To the extent the defendant seeks leave to proceed *in forma pauperis* (ECF No. 928), the motion is DENIED as unnecessary. To the extent the defendant seeks to establish indigency in order to obtain the record free of charge, the motion is DENIED AS MOOT.

IT IS SO ORDERED.

DATED: This 11th day of January, 2021.


UNITED STATES DISTRICT JUDGE